COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: September 28, 2011
FILE: FO2278898

OFFICE CORRESPONDENCE

FROM: DARYL EVANS, COMMANDER
TECHNICAL SERVICES DIVISION

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:
DEPUTY DAVID ALVAREZ #[redacted]
DEPUTY JEFFREY RIVERA #[redacted]
DEPUTY DAVID NAVARRETE #[redacted]
MEN'S CENTRAL JAIL

Deputies from the Men's Central Jail 3000 floor were conduction evening pill call. Inmate Gregory Thompson was ordered to spit out contraband from his mouth. Inmate Thompson spun around and began to argue with Deputy David Alvarez, refusing to comply with orders. Inmate Thompson advanced toward Deputy Alvarez. Fearing he was going to be tackled, Deputy Alvarez sprayed Inmate Thompson in the face with his OC Spray. Inmate Thompson lowered his head and charged toward Deputy Alvarez. Deputy Alvarez took the inmate to the ground. Inmate Thompson attempted to hit Deputy Alvarez and Deputy Rivera, who arrived to assist. Deputy Rivera punched the inmate on the face, four to five times.

Inmate Thompson refused to comply with the deputies orders to stop fighting and put his hand behind his back. Deputy Navarrete arrived to assist the deputies gain control of the inmate. Inmate Thompson continued to fight with the deputies and Deputy Navarrete punched him on the ribs, five to six times. The deputies were able to place the inmates behind his back and handcuff him without further incident.

Inmate Thompson was transported to Los Angeles County USC Medical Center for medical evaluation and was admitted for an injury to his left testicle.

On September 22, 2011, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputies David Alvarez, Jeffrey Rivera, and David Navarrete was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by the deputies in this incident were within Department Policy.

JSH:RSP/rsp

FO2278898

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Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-01368-5100-054	Date: 12/9/10	Time: 1900 hours	
Location: Module 3200/3400		City or Station: Los Angeles	
Bureau/Station/Facility: Men's Central Jail		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant Force; Freeze +P, Take Down, Personal Weapons			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lieutenant Grimaldi	Emp: [redacted]	IAB Roll Out: YES ☐ NO ☒

Involved Employee

E1

Employee #: [redacted]	Last Name: Alvarez	First Name: David	Middle Name: F.
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 3200/3400 Title 15 Deputy
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 601 / Weight: 205
☒ Injured ☐ Treated ☐ Admitted	Hospital: U.S. Healthworks 1313 W. 8th Street Los Angeles, CA. 90017	Coroner Case #	Directed Force ☐ Significant Force ☒

E2

Employee #: [redacted]	Last Name: Rivera	First Name: Jeffrey	Middle Name: A.
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 3000 Prowl #3
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 509 / Weight: 175
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E3

Employee #: [redacted]	Last Name: Navarrete	First Name: David	Middle Name: A.
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 3200/3400 Prowl Movement
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 506 / Weight: 165
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	De La Rosa	Veronica	T.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lee	Brian	R.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Godfrey	Edward	R.

Edward R. Godfrey, Lieutenant
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Sonja M. Bracken, Sergeant
Supervisor Completing Form: (**Print Name**) — Emp #: [redacted] — Copy Provided to Employee by: — Emp #:

Duane J. Harris, Captain
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

910 - 01368 - 5100 - 054

Suspect Information

S 1

Last Name: Thompson | First Name: Gregory | Middle Name: Ovinin

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: N/A | Home Phone: None | Age: 21 | Height: 507 | D.O.B. 04/14/1989 | Weight: 160 | Armed? ☐

Booking #: 2550373 | Primary Charge Code: 210.5 P.C. | Secondary Charge Code: 3056 P.C. | Criminal History [redacted]

EMT in attendance? ☐ YES ☒ NO Name: | Unit: | Phone #:

Hospital Admission? ☒ Rec'd Treatment At: L. A. County USC Medical Center (LCMC) | Coroner Case #: | Mental History ☐

By Doctor: Orlando Pile, M.D. | Address: 2051 Marengo St. Los Angeles, 90033 | Phone #: 323 409-4563

Under Influence: ☐ YES ☒ NO Substance: | Mental Illness ☐

Suspect Interview

Date: 12/09/2010 | Time: 1920 hours | ☐ Audiotape: ☒ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
910-01368-5100-054

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		40	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	None	None
Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		36	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	None	[redacted]
Last Name	First Name	Middle Name	Age	D.O.B.
Pickett	Ricky		35	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	None	[redacted]
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

91[illegible]-01368-5100-0[illegible]4

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Thompson	S#1	Alvarez	E#1	UC/RS	NN	
Alvarez	E#1	Thompson	S#1	OC	CP	FA
Thompson	S#1	Alvarez	E#1	PO/TD	NN	
Alvarez	E#1	Thompson	S#1	PH/TD	BR	FA
Thompson	S#1	Alvarez	E#1	PH	ST	HD
Rivera	E#2	Thompson	S#1	PH	BR/AB	FA
Thompson	S#1	Alvarez, Rivera, Navarrete	E#1/E#2/E#3	UC/RS/PH	NN	
Navarrete	E#3	Thompson	S#1	PH	CP	BK,GR
Thompson	S#1	Alvarez, Rivera, Navarrete	E#1/E#2/E#3	PH	NN	
Rivera, Navarrete	E#2/E#3	Thompson	S#1	CT/RH	NN	

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Men's Central Jail
DATE: December 9, 2010, Thursday
TIME: 1900 hours
LOCATION: 441 Bauchet Street, Los Angeles 90012
IAB#: FO2278898
URN#: 910-01368-5100-054

NATURE OF INCIDENT:

On December 9, 2010, deputies from the Men's Central Jail 3000 floor were conducting evening pill call. During pill call, Inmate Gregory Thompson was ordered to spit out contraband from his mouth. Inmate Thompson spun around and began to argue with Deputy David Alvarez, refusing to comply with orders. Inmate Thompson advanced towards Deputy Alvarez. Fearing he was going to be tackled, Deputy Alvarez sprayed Inmate Thompson in the face with his OC spray. Inmate Thompson lowered his head and charged toward Deputy Alvarez. Deputy Alvarez stepped to the side and took Inmate Thompson to the ground. Inmate Thompson attempted to swing his left fist at Deputy Alvarez as Deputy Rivera responded to the location to assist. Inmate Thompson continued to kick and punch at the deputies. In an attempt to stop Inmate Thompson's assault, Deputy Rivera punched him in his face approximately four to five times.

Inmate Thompson refused to comply with the deputies orders to stop fighting and put his hands behind his back. Deputy Navarrete responded to the location and assisted by attempting to gain control of Inmate Thompson's arms in order to handcuff him. Inmate Thompson continued to refuse to put his hands behind his back and continued to fight with deputies. Deputy Navarrete punched Inmate Thompson approximately five to six times in his rib area in an attempt to gain compliance. Once his hands were behind his back, Deputy Navarrete handcuff Inmate Thompson without further incident.

Inmate Thompson sustained swelling to facial area and a cut to his right ear. Inmate Thompson initially complained of pain to his face, left rib area, and knees. Inmate Thompson later spoke to the medical staff at Men's Central Jail and complained of pain to his groin area.

Inmate Thompson was transported to Los Angeles County USC Medical Center (LCMC) for further medical evaluation. Inmate Thompson was admitted to LCMC for an injury to his left testicle.

IAB Note: For further details on Inmate Thompson's injuries, refer to Exhibit B for a copy of his medical report.

The following deputy personnel reported the following use of force:

Deputy Alvarez: OC spray; single man take down, personal weapons (fists).

IAB Note: For further details, refer to Exhibit A for a copy of Deputy Alvarez' first report, File #910-01368-5100-054.

Deputy Rivera: Personal weapons (fists); control hold.

IAB Note: For further details, refer to Exhibit A for a copy of Deputy Rivera's supplementary report, File #910-01368-5100-054.

Deputy Navarrete: Personal weapons (fists); control hold.

IAB Note: For further details, refer to Exhibit A for a copy of Deputy Navarrete's supplementary report, File #910-01368-5100-054.

Medical records indicated that Inmate Gregory sustained a fractured nose, multiple abrasions and swelling to his facial area and a fractured left testicle.

IAB Note: For further details, refer to Exhibit B for a copy of Inmate Thompson's medical records.

Inmate Thompson was interviewed by Sergeant Veronica De La Rosa and Lieutenant Edward Godfrey immediately after the incident on December 9, 2010. The interview was video taped.

IAB Note: For further details, refer to Lieutenant Godfrey's transcribed interview with Inmate Thompson.

Lieutenant Mike Grimaldi was notified and Sergeant Sonja Bracken was assigned to conduct an Administrative review of the incident.

The following review is based on written documentation, interviews of witnesses, and involved deputies.

INVOLVED PERSONNEL:

David Alvarez- Deputy, Employee #[redacted]
Men's Central Jail
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 07/25/2007
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Jeffrey Rivera- Deputy, Employee #[redacted]
Men's Central Jail
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 01/17/2007
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

David Navarrete- Deputy, Employee #[redacted]
Men's Central Jail
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 04/25/2007
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

INVOLVED INMATE:

Thompson, Gregory Ovinin MB/21, Booking #2550373, DOB: 04-14-1989
[redacted], No phone
Booking Charges: 210.5 PC, 3056 PC
Main: [redacted], CII: [redacted], CDL: [redacted], FBI#: [redacted]

Involved Inmate's Criminal History:

A review of Inmate Thompson's criminal history [redacted]

> **IAB Note: For further on Inmate Thompson's Criminal History refer to miscellaneous documents.**

DEPARTMENT EMPLOYEE WITNESS:

None

NON-DEPARTMENT WITNESSES:

[redacted], M/40, DOB: [redacted], [redacted], [redacted], No phone.

[redacted], M/36, DOB: [redacted], [redacted], [redacted]
Phone: [redacted]

[redacted], M/35, DOB: [redacted], [redacted], No phone.

> **IAB Note: These witnesses were inmates from module [redacted] that were in the outer hallway at the time of the incident. They were video taped interviewed immediately after Inmate Thompson, using the same camera (mini-dvd). None of them actually witnessed the altercation, but were interviewed for assurance, refer to dvd interviews conducted by Sergeant Paul Schuerger.**

INJURIES:

Inmate Thompson sustained a fractured nose, multiple abrasions and swelling to his facial area and a fractured left testicle.

> **IAB Note: Refer to Exhibit B, Inmate Thompson's medical records.**

Deputy Alvarez sustained a sprained right hand.

PHYSICAL EVIDENCE:

None.

INVESTIGATOR'S OBSERVATIONS:

There was no examination of the scene at the time of the incident.

WEAPON USED BY DEPUTY PERSONNEL:

Personal weapons (fists).

WEAPON USED BY INMATE:

Uncooperative, Resistance, Assaultive- personal weapons (fists).

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATOR AND CHARGES FILED:

No charges were filed against Inmate Thompson for the altercation with deputies on December 9, 2010. The arrest charges that Inmate Thompson was arrested for in November 2010 were deferred for [redacted]. Inmate Thompson was sent to state prison on December 22, 2010.

LIGHTING AND WEATHER CONDITIONS:

The incident occurred indoors. Interior of the module was illuminated by lighting.

INVOLVED EMPLOYEES STATEMENTS:

DEPUTY DAVID ALVAREZ, Employee #[redacted], was interviewed on March 10, 2011, by Internal Affairs Bureau Sergeant Sonja Bracken and Lieutenant [redacted] Deputy Alvarez was represented by Attorney Mitchell Kander from Green & Shinee. The interview took place at Internal Affairs Office in Interview Room A and was digitally recorded. The following is a summary.

Deputy Alvarez said he has been with the department for over three years and assigned to Men's Central Jail 3000 floor until recently. He said on a daily basis, when at work, he carries pepper spray and a flashlight. He is qualified with other less lethal weapons such as: the 40 millimeter and pepper ball gun. These other options are kept locked away in the facilities armory in Main Control.

Deputy Alvarez said high security, level 8 inmates are housed in Module 3200 and they take various medications. He said he was not familiar with Inmate Thompson's medical history or why he was in line for pill call on the evening of December 9, 2010. He said during pill call it is common practice for the inmates keep their hands in their pockets and face the wall until it is their turn to interact with the medical staff. He said he saw Inmate Thompson take both his hands out of his pockets and place something in his mouth. He contacted Inmate Thompson to ascertain what he put into his mouth and conducted a cursory search for any weapons or contraband. He said Inmate Thompson told him he put candy into his mouth. He said he told Inmate Thompson about the rules regarding having any food in the hallways during pill call. He said he instructed him to return to his cell to get rid of the candy and then return to pill call to receive his medication.

Deputy Alvarez said Inmate Thompson complied, he went into Module 3400, out of sight then return to the 3400 entry hallway. He said Inmate Thompson signaled for him to come into the hallway. Deputy Alvarez said he went over to him to see what was going on. He said Inmate Thompson was breathing heavily, he appeared irate and told him that he wanted to take his medications. He said Inmate Thompson was yelling at him and using profanity. He said he did not realize Deputy Rivera had walked into the hallway behind him but recognized his voice on the radio. He said he then heard Deputy Rivera on the radio requesting a sergeant to respond to their location re: uncooperative inmate. Deputy Alvarez said he believed that this agitated Inmate Thompson even more. He said Inmate Thompson began advancing towards him with his fists clenched and breathing heavily. He said he told Inmate Thompson to stop but he did not comply.

Deputy Alvarez said fearing that he was going to be assaulted, retrieved his pepper spray and deployed a burst toward Inmate Thompson. He said the pepper spray had no effect on Inmate Thompson because he "dodged it." He said Inmate Thompson then lunged towards him and tried to grab his waistband. Deputy Alvarez said he side stepped to his right and using his own momentum, was able to take Inmate Thompson down to the ground. He said once they both went to the ground, Inmate Thompson attempted to mount him while swinging his left fist. He said while trying to stop Inmate Thompson's assault, he punched him three to four times in his face. He said his punches had no effect, Inmate Thompson continued to try and punch him. Deputy Alvarez said Inmate Thompson was not able to strike him with his fist because he continuously pushed him away. He said during the struggle he was giving Inmate Thompson commands to stop fighting.

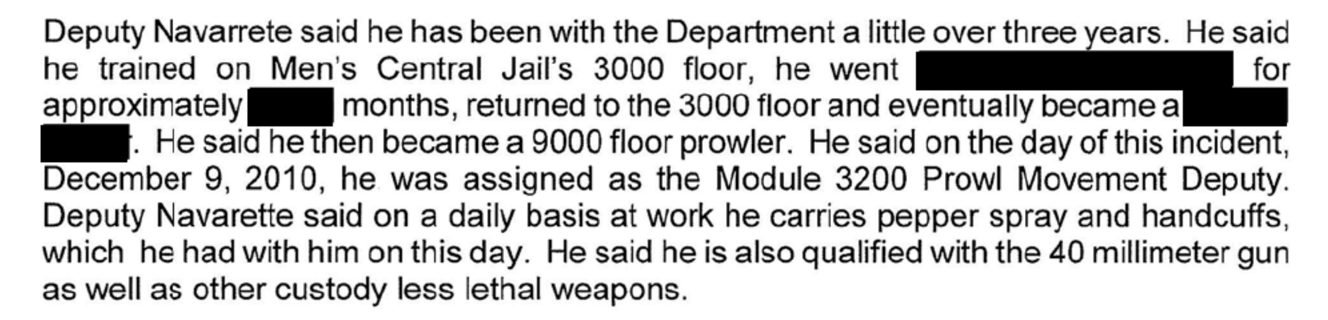
Deputy Alvarez said he saw Deputy Rivera grab the back of Inmate Thompson's shirt, strike Inmate Thompson with several hammer strikes to his face while ordering him to stop fighting. He then saw Deputy Navarrete arrive and pull Inmate Thompson off of him. He said by the time he got to his feet, Deputy Rivera and Deputy Navarrete had already handcuffed Inmate Thompson without further incident. He said once Inmate Thompson was handcuffed he nor his partners hit him again with any personal or impact weapons.

Deputy Alvarez said the incident occurred just in front of the deputy's booth. He said from the point he heard Deputy Rivera on the radio to the point Inmate Thompson was handcuffed he estimated the time as less than one minute. Deputy Alvarez said he did not grab Inmate Thompson by his throat or have him wait inside a laundry room. He said he never struck Inmate Thompson is his groin area.

IAB Note: During Inmate Thompson's Internal Affairs Bureau interview, he claimed he was grabbed by his throat and set aside in a laundry room. He claimed several deputies came to the laundry room and assaulted him for no reason.

Deputy Alvarez said he reported his use of force to Sergeant Veronica De La Rosa.

DEPUTY DAVID NAVARRETE, Employee #[redacted], was interviewed on March 10, 2011, by Internal Affairs Bureau Sergeant Sonja Bracken and Lieutenant [redacted] Deputy Navarrete was represented by Attorney Mitchell Kander from Green & Shinee. The interview took place at Internal Affairs Office in Interview Room A and was digitally recorded. The following is a summary.


Deputy Navarrete said he has been with the Department a little over three years. He said he trained on Men's Central Jail's 3000 floor, he went [redacted] for approximately [redacted] months, returned to the 3000 floor and eventually became a [redacted]. He said he then became a 9000 floor prowler. He said on the day of this incident, December 9, 2010, he was assigned as the Module 3200 Prowl Movement Deputy. Deputy Navarette said on a daily basis at work he carries pepper spray and handcuffs, which he had with him on this day. He said he is also qualified with the 40 millimeter gun as well as other custody less lethal weapons.

Deputy Navarette said he was not familiar with Inmate Thompson prior to this incident. He said on December 9, 2010, he was standing in the 3000 floor hallway providing security for inmate pill call. He said he heard a call go out on the radio requesting a sergeant to respond to 32 and 3400 module for an uncooperative inmate. He said he started walking in that direction and as he got closer to the module, he heard verbal commands to stop fighting. He walked inside the 3200/3400 hallway and saw Deputy Alvarez on his back in front of the deputy's booth. He said he saw Inmate Thompson on top of him and Deputy Rivera trying to get him off of Deputy Alvarez. He said he heard Deputy Rivera giving verbal commands to stop fighting. He said he immediately assisted his partners by grabbing Inmate Thomspon by his waist and pant leg, trying to pull him off of Deputy Alvarez. He said eventually he and Deputy Rivera were able to pull Inmate Thompson off of Deputy Alvarez.

Deputy Navarrete said Inmate Thompson still continued to struggle and tried to get to his feet several times. He said he gave Inmate Thompson commands to stop fighting and gave him several punches to his left rib area. He said Inmate Thompson then surrendered his hands and he was able to handcuff him.

Deputy Navarrete said the struggle with Inmate Thompson took approximately 45 seconds to a minute. He said he never struck Inmate Thompson in his groin area. He said he could not recall seeing his partners actually punching Inmate Thompson due to him being focused on subduing him. He said he nor his partners ever used any impact weapon on Inmate Thompson.

> **<u>IAB Note:</u> Deputy Navarrete was not certain how long the incident took. Later in the Internal Affairs Bureau interview he said the incident took approximately two to three minutes.**

Deputy Navarrete said he did not consider using pepper spray due to the close proximity of his partners and the immediate concern for getting the inmate off of his partner quickly.

Deputy Navarrete said he reported his use of force to Sergeant De La Rosa and Sergeant Paul Schuerger.

IAB Note: Deputy Rivera was terminated [redacted], therefore he was not interviewed.

DEPARTMENT EMPLOYEE WITNESS STATEMENT:

None

NON-DEPARTMENT WITNESS STATEMENTS:

None

INMATE THOMPSON'S STATEMENTS:

INMATE GREGORY THOMPSON, Booking #2550373, was interviewed on December 16, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken. The interview took place at Twin Towers Facility's Correctional Treatment Center (CTC), Module 331 and was digitally recorded. The following is a summary.

Inmate Thompson said he was arrested on May 17, 2010, and was assigned to Men's Central Jail, Module 3200 on May 19, 2010. Inmate Thompson said he was in custody [redacted]. He said he is a "Blood" gang member with the Black P Stone gang. He said his moniker is "G-man."

Inmate Thompson said on December 9, 2010, he was in the pill call line to get foot cream. He said he had a piece of "Jolly Rancher" candy in his mouth. He said an unknown deputy (described as male Hispanic, 5'10 with spiky hair, who worked in the module daily) asked him what was in his mouth and he told him it was candy. He said the deputy told him to put the candy in his pocket but he saw a trash can nearby so he threw the candy away. He said the deputy suddenly called him over to him, grabbed him by his throat and punched him in his stomach. He said the deputy said "Oh you think you're tough" and took him to a laundry room inside the module, accompanied by another unknown deputy (only described as male, short, fat with a low haircut and a "box head"). He said as both deputies began to slap him he apologized to the deputies and told them that he had not done anything.

IAB Note: Inmate Thompson did not know the names of any of the deputies involved in this incident.

Inmate Thompson said he believed there were seven deputies involved. He then said he could not see how many deputies were involved, all he saw was legs, fists and a flashlight while he was on the ground. He said as he was on the ground he felt kicks to his stomach/ ribs and punches to his face. He said he curled up on the right side of his body to try and protect himself. He said once they stopped hitting him, they dragged him outside of the laundry room and began to hit him again.

Inmate Thompson said an unknown deputy sprayed him in the face with pepper spray. He said an unknown deputy hit him with a flashlight on his ribs and knees. He said he was hit in his groin but was not sure with what type of weapon.

Inmate Thompson said while he was inside the laundry room being hit, the deputies never gave him any instructions. He said once they dragged him out of the laundry room, he heard deputies telling him to stop resisting. He said he was handcuffed at that time, so he was not resisting. He said he did not do anything to provoke the incident.

Inmate Thompson said after the incident, he complained of pain to his left eye, left scrotum, nose, right front upper tooth and both sides of his ribs. He said he was bleeding from both of his ears. He said he had no injuries prior to coming to Twin Towers Facility.

Inmate Thompson said he has never had any physical altercations with police officers while in jail or out on the streets.

IAB Note: There are no cameras in the 3000 floor hallway, day rooms or laundry rooms

IAB Note: I spoke with CTC Dr. Orlando Pile on December 16, 2010, he refused to be recorded. He stated that the injuries to Inmate Thompson were consistent with being in a fight. He said the injury to his groin was most likely caused by being hit in the area.

IAB Note: According to Inmate Thompson's medical records, [redacted]. He later denied any mental history on page 13 of his medical records. He also denied any mental history in the Internal Affairs Bureau interview on December 16, 2010.

IAB Note: Upon researching testicular trauma on the internet "WebMD.com" it was discovered that there could have been several causes for the pain to Inmate Thompson's left testicle. Refer to Exhibit E, pages dated 03/11/11 that refer to three specific types of trauma including blunt trauma which could have caused Inmate Thompson's pain.

IAB Note: Also refer to Exhibit E, pages dated 03/20/11 for other possible genital problems such as: "Torsion" which could occur for no apparent reason or after strenuous physical activity; "Varicocele" which causes discomfort specifically in the left scrotum; "Orchitis" which can be caused by a sexual transmitted disease or in men with mumps, influenza or tuberculosis. Inmate Thompson was complaining of pain to his throat when swallowing and was diagnosed with tonsilitis on the same date of this incident.